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PATENTS

Attorney Docket No. 25658-0002

EXPRESS MAIL LABEL INFORMATION - 37 CFR 1.10  
Express Mail Label No. EL294131365US; September 25, 2000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Terrence R. GREEN et al. :

App. No.: 09/336,392 : Art Unit: (not yet known)

Filed: June 18, 1999 : Examiner: (not yet known)

For: MEDICAL DEVICE HAVING ANTI-INFECTIVE AND CONTRACEPTIVE  
PROPERTIES

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**TRANSMITTAL**

Transmitted herewith for filing in the above-entitled patent application are the following:

1. Notice of Incomplete Reply (Nonprovisional)
2. Executed Declaration (copy)
3. Assignment (copy) and Recordation Cover Sheet
4. Small Entity Statement (copy)
5. Check (\$1564)

Also enclosed is a return postcard for receipt.

**Extension of Time**

Applicants request an extension of time to respond to the Notice of Incomplete Reply (Nonprovisional) for four months, making the due date for response October 19, 2000. The fee of \$680 for this extension is authorized below.

09/29/2000 AMONDAF1 00000107 09336392  
680.00 0P  
05 FC:218



Please note that the Notice to File Missing Parts referred to in the Notice of Incomplete Reply was never received by Applicants' attorneys, as noted in our Status Inquiry mailed March 31, 2000 (received April 10).

**Fees**

The following fees are authorized:

Filing fee .....	\$380.00
Fee for extra independent claims .....	39.00
Fee for extra total claims .....	360.00
Surcharge for late filing of declaration .....	65.00
Extension fee .....	680.00
Assignment recordation fee .....	<u>40.00</u>
Total fee .....	<u>\$1564.00</u>

Our check for **\$1564.00** is enclosed

**Deposit Account Authorization**

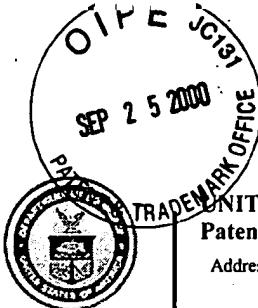
Please charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 08-1641. This is not, however, an authorization to pay the issue fee. A duplicate of this document is enclosed.

Respectfully submitted,

Derek P. Freyberg  
Attorney for Applicant  
Reg. No. 29,250

Heller Ehrman White & McAuliffe LLP  
525 University Avenue  
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(650) 324-7014  
September 25, 2000

## FORMALITIES LETTER

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/336,392	06/18/1999	TERRENCE R. GREEN	25658-0002
		09/29/2000 AWONDAF1 00000107 09336392	
DEREK P FREYBERG HELLER EHRMAN WHITE & MCAULIFFE 525 UNIVERSITY AVENUE SUITE 1100 PALO ALTO, CA 943011900		01 FC:201 380.00 OP 02 FC:202 39.00 OP 03 FC:203 360.00 OP 04 FC:205 65.00 OP	

Date Mailed: 04/19/2000

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

*Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on 04/10/2000 to the Notice to File Missing Parts (Notice) mailed 07/16/1999 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$798.
  - \$720 for 40 total claims over 20.
  - \$78 for 1 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 was not received.
- **The balance due by applicant is \$ 1688.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE